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THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
No.(1), Thitsar Road, Yankin Township, Yangon

Tel: 95-1- 658130

Our ref : MIC-5(E)/P-010/2018(084.B)

Fax: 95-1-658142

Date : 8th March 2018

Subject: Decision of the Myanmar Investment Commission on the Proposal for construction of the bulk LPG terminal and bottling plant, importation, storage, distribution and sales of LPG under the name of Apex Union Gas Company Limited

Reference: Apex Union Gas Company Limited, Letter dated 22nd January 2018

1. The Myanmar Investment Commission, at its meeting (3/2018) held on 27th February 2018, approved the Permit for investment in construction of the bulk LPG terminal and bottling plant, importation, storage, distribution and sales of LPG under the name of Apex Union Gas Company Limited submitted by Tawornsinpattana Co., Ltd. (51%) and Klang 9 Logistics Co., Ltd. (5%) from Kingdom of Thailand and Apex Gas and Oil Public Co., Ltd. (40%) and Infinite Benevolence Trading Co., Ltd. (4%) from the Republic of the Union of Myanmar as a Joint Venture investment in accordance with the Myanmar Investment Law and Rules.

2. The terms and conditions of the Permit are stated in the following paragraphs:

- (a) The term of the Permit shall be initial 27 (twenty seven) years commencing from the date of the issuance of Permit by Myanmar Investment Commission.
- (b) The term of the Sub-lease Agreement for the land shall be initial 27 (twenty seven) years from the date of signing of the Sub-lease Agreement between Apex Gas and Oil Public Co., Ltd. (Lessor) and Apex Union Gas Company Limited (Lessee) subject to the approval of Myanmar Investment Commission. On the expiry of the Lease period, the lessee shall return the leased premises in good condition

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back to the lessor including any existing structures and buildings on the premises.

- (c) The annual rent for the land shall be US\$ 7.69 (United States Dollar seven dollar and sixty-nine cent only) per square meter per year measuring of 6.876 acres (27,826.21 square meters).
- (d) Apex Union Gas Company Limited, which has obtained this permit to receive benefits relating to the right to use land under Chapter XII and exemptions and reliefs under section 77 and 78 of the Chapter XVIII of Myanmar Investment Law may submit the application form.
- (e) Apex Union Gas Company Limited shall use its best efforts to achieve a timely realization of the work stated in the permit application.
- (f) Apex Union Gas Company Limited shall obey and respect the responsibilities of investors under section 65 of Myanmar Investment Law and Chapter XX of Myanmar Investment Rules.
- (g) Apex Union Gas Company Limited shall carry out Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP) according to the type of investment activities in accordance with the relevant laws, rules, regulations and procedures.
- (h) Apex Union Gas Company Limited shall submit to the Commission any sublease, mortgage, transfer of shares or transfer of the business to any person during the investment period in accordance with section 72 of Myanmar Investment Law and rule 191 of Myanmar Investment Rules.
- (i) Apex Union Gas Company Limited which has benefited from the permit or the exemptions and reliefs shall submit an annual report in the prescribed form to the Commission within three (3) months of the end of the financial year in accordance with rule 196 of Myanmar Investment Rules and shall publish a summary of the report on its website or the Commission's website.

- (j) Apex Union Gas Company Limited must, during the operation period under the permit of the Commission, submit its operating report quarterly in the prescribed form in accordance with rule 197 of Myanmar Investment Rules.

3. Apex Union Gas Company Limited shall submit five (5) copies of all approvals, licences, permits and similar authorizations relevant to the initial implementation of the investment and the Sub-lease Agreement to the Commission.



(Kyaw Win)

Chairman
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Apex Union Gas Company Limited

- cc: 1. Ministry of Home Affairs
2. Ministry of Office of the Union Government
3. Ministry of Natural Resources and Environmental Conservation
4. Ministry of Electricity and Energy
5. Ministry of Labour, Immigration and Population
6. Ministry of Commerce
7. Ministry of Planning and Finance
8. Yangon Region Investment Committee
9. Office of the Yangon Region Government
10. Director General, Fire Services Department
11. Director General, Department of Environmental Conservation
12. Managing Director, Myanma Oil and Gas Enterprise
13. Director General, Directorate of Labour
14. Director General, Immigration and National Registration Department
15. Director General, Department of Trade

16. Director General, Directorate of Investment and Company Administration
17. Director General, National Archive Department
18. Director General, Internal Revenue Department
19. Director General, Customs Department
20. Managing Director, Myanmar Foreign Trade Bank
21. Managing Director, Myanmar Investment and Commercial Bank
22. Yangon Region Office, Directorate of Investment and Company Administration